



STATE PUBLIC CHARTER SCHOOL AUTHORITY

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BRIEFING MEMORANDUM

TO: SPCSA Board
FROM: Patrick Gavin
SUBJECT: Advisory Policy and Regulatory Task Forces
DATE: August 25, 2015

As a result of legislation passed in 2015, the SPCSA has the authority to adopt a broad range of policies and regulations that impact both agency operations and the operations of our schools. These laws, policies, and regulations provide additional opportunities to hold low-performing schools accountable. At the same time, it will be important to balance accountability for low-performers with potential unintended consequences for our highest performing charter schools.

Staff proposes that the SPCSA Board solicit input from school leaders, staff, and board members from the Authority's highest achieving schools in the development and review of policies and regulations which will impact the portfolio. While staff may ultimately make different recommendations and the SPCSA Board will ultimately have the final say on the adoption of policy and regulation, we believe that such input is critical and that both the collective recommendations of high performing schools and staff recommendations should be carefully considered by the Board.

Staff recommends the following guiding principles be endorsed to ensure a diversity of voices:

- The right of a school to be heard does not imply the right to prevail
- No school (defined as a charter holder, not a campus) may have more than one representative of any kind (leader/staff/board member) on a task force

These schools have demonstrated a strong commitment to accountability in all domains, including academic, financial, and organizational accountability. We believe we can learn from our best schools and look forward to their input.

While staff recommends that these proposed task forces not include either education management organizations or low-performing schools, it is important to note that constituencies which are not included in these advisory groups will still have ample opportunity to voice their concerns through public comment and informal discussions with included schools and Authority members and staff.

Proposed Criteria for Inclusion in Advisory Policy and Regulatory Task Forces

	Eligible Schools	Ineligible Schools
Academic Criteria	<ol style="list-style-type: none"> 1. School is too new to have Academic Data at any grade level OR 2. School's elementary, middle, and high school programs are at the 3 Star Level or Above on Regular Nevada School Performance Framework (NSPF) AND 3. School is Classified as Eligible for TBD Alternative NSPF by SBOE and is determined to be in Good Standing (definition TBD)¹ AND 4. School Does Not operate an elementary, middle, or high school program that is a Focus or Priority School Under Federally-Approved Definition AND 5. None of school's elementary, middle, or high school program Meet Any Other Low-Performing Definition in Statute or Regulation (Graduation Rate, Level of Achievement, etc).² AND 6. School Has Not received a Notice of Concern or Notice of Breach for Academic Reasons in Past 2 Years (Under regular SPCSA Academic Performance Framework or to-be-developed SPCSA Alternative Academic Performance Framework 	<ol style="list-style-type: none"> 1. School operates an elementary, middle, or high school program that is 2 Star or Below on Regular NSPF OR 2. School is Classified as Eligible for TBD Alternative NSPF by SBOE and is not determined to be in Good Standing (definition TBD)³ OR 3. School operates an elementary, middle, or high school program that is a Focus or Priority School Under Federally-Approved Definition OR 4. School operates an elementary, middle, or high school program that Meets Any Other Low-Performing Definition in Statute or Regulation (Graduation Rate, Level of Achievement, etc).⁴ OR 5. School Has received a Notice of Concern or Notice of Breach for Academic Reasons in Past 2 Years (Under regular SPCSA Academic Performance Framework or to-be-developed Authority Alternative Academic Performance Framework
Financial Criteria	<ol style="list-style-type: none"> 1. School is too new to have Financial Data OR 2. School Has Not Received A Notice of Concern or Notice of Breach in Past 2 Years Under Authority Financial Framework 	<ol style="list-style-type: none"> 1. School Has Received A Notice of Concern or Notice of Breach in Past 2 Years Under Authority Financial Framework
Organizational Criteria	<ol style="list-style-type: none"> 1. School is too new to have Organizational Data OR 2. School Has Not Received A Notice of Concern or Notice of Breach in Past 2 Years Under Authority Organizational Framework 	<ol style="list-style-type: none"> 1. School Has Received A Notice of Concern or Notice of Breach in Past 2 Years Under Authority Organizational Framework

¹ Per SB460, the SBOE is authorized to identify schools eligible for an alternative Nevada School Performance Framework which meet certain criteria set forth in statute and regulation. The rulemaking process for that has begun. Once that Framework is developed, the SPCSA Board may need to amend the current framework or adopt an aligned alternative framework for charter schools that fall under that umbrella.

² Both SB92 and SB509 expand the definition of low-performing school in Nevada. The rulemaking process for that has begun. Once rules are adopted, the SPCSA Board may need to amend the SPCSA Performance Framework to align with those expanded definitions.

³ See footnote 1.

⁴ See footnote 2.